

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

THE SAGINAW CHIPPEWA INDIAN
TRIBE OF MICHIGAN,

Plaintiff,

v.

NATIONAL LABOR RELATIONS BOARD
and in their official capacities as Members of
the Board, MARK G. PEARCE, Chairman,
CRAIG BECKER, and BRIAN HAYES.

Defendants.

)
)
)
) Case No. 11-cv-14652

)
) Honorable Thomas
) Ludington

)
) Magistrate Judge
) Charles E. Binder

DEFENDANTS NATIONAL LABOR RELATIONS BOARD ET AL.'S
MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

Pursuant to Federal Rule of Civil Procedure 12(b)(1), the National Labor Relations Board et al. (NLRB) hereby respectfully moves to dismiss this case for lack of subject matter jurisdiction. For the reasons stated in the accompanying brief, this Court lacks subject matter jurisdiction to hear challenges to the NLRB's jurisdiction over an ongoing unfair labor practice proceeding. Therefore, the Complaint must be dismissed.

Respectfully submitted,

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